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**ADELAIDE DENNIS KLINE**  
OF COUNSEL

June 8, 2011

**BY ELECTRONIC FILING**

Ms. Jocelyn D. Boyd, Esquire  
Chief Clerk and Administrator  
Public Service Commission of South Carolina  
Synergy Business Park, Saluda Building  
101 Executive Center Drive  
Columbia, SC 29210

Re: Petition of the Office of Regulatory Staff for a Declaratory Order against  
Jacobs-Rabons Communications, LLC and Fiber One Consulting, LLC  
Requiring Certification as a Telephone Utility  
Docket No. 2010-351-C

Dear Ms. Boyd:

Enclosed for filing in the above-captioned matter please find Jacobs-Rabons Communications, LLC's ("Jacobs-Rabons") Motion to Dismiss the above-referenced docket. Also enclosed is a Certificate of Service for this Motion to Dismiss the above-referenced docket.

By copy of this letter we are serving the Office of Regulatory Staff and other parties of record in these proceedings with the same. If you have any questions, please contact me or Thomas Dougall.

Sincerely,

**DOUGALL & COLLINS**

s/Adelaide D. Kline

  
Adelaide D. Kline

cc: Mr. Josh Minges, Esquire, Hearing Examiner (via email)  
Mr. David Butler, Esquire, Hearing Examiner (via email)  
Nanette Edwards, Esquire, Chief Counsel, ORS (via email)

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

**DOCKET NO. 2010-351-C**

IN RE: Petition of the Office of )  
Regulatory Staff for a )  
Declaratory Order against )  
Jacobs-Rabons Communi- )  
cations and Fiber One, )  
Consulting, LLC Requiring, )  
Certification as a Telephone )  
Utility )  
)

**CERTIFICATE OF SERVICE  
MOTION TO DISMISS**

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This is to certify that I, Adelaide D. Kline, an attorney with the law firm of Dougall & Collins, have this day caused to be served upon the persons named below the Motion to Dismiss the above-referenced Docket by electronic transmittal on June 8, 2011, to:

Jocelyn D. Boyd, Esquire, Chief Clerk and Administrator (via e-mail)  
Josh Minges, Esquire, PSC Hearing Examiner (via e-mail)  
David Butler, Esquire, PSC Hearing Examiner (via e-mail)  
Nanette Edwards, Esquire, Chief Counsel, ORS (via email)

s/ Adelaide D. Kline



Adelaide D. Kline

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**MOTION TO DISMISS**

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JACOBS-RABONS COMMUNICATIONS, LLC'S  
MOTION TO DISMISS THE ABOVE-REFERENCED DOCKET

**INTRODUCTION**

This matter comes before the Public Service Commission of South Carolina by way of the above-referenced Docket No. 2010-351-C and references Docket No. 2010-351-C in its entirety. This docket was opened by the Public Service Commission of South Carolina, Office of Regulatory Staff, on October 29, 2010. In Order No. 2011-73 dated January 25, 2011, the Public Service Commission dismissed the above-referenced Petition but granted the Office of Regulatory Staff's request that the docket remain open until the Commission was notified that all Jacobs-Rabons customers had been transferred to Time Warner Cable and that the Respondents had ceased operations entirely. The Order further stated that once such notifications have been provided, the docket was to be closed.

On behalf of Respondent Jacobs-Rabons Communications, LLC ("Jacobs-Rabons"), Jacobs-Rabons now notifies the Public Service Commission of South Carolina ("PSC") that Time Warner Cable Information Services ("TWCIS") has taken over completely as the service provider for the two subdivisions for which Defendant/Respondent Jacobs-Rabons had temporarily provided telecommunications services. Jacobs-Rabons received Articles of Termination from the Secretary of State for the State of South Carolina on May 18, 2011. A copy of the Articles of Termination is attached as Exhibit 1.

Pursuant to S. C. Code Ann. Regs. 103-601 and applicable South Carolina law, Jacobs-Rabons hereby moves the PSC to dismiss Docket No. 2010-351-C on the grounds that the Defendant/Respondent Jacobs-Rabons has complied with Order No. 2011-73 issued by the PSC on January 25, 2011. The entity no longer exists. Time Warner Cable Information Services ("TWCIS") has taken over as the service provider for the two subdivisions for which Defendant/Respondent Jacobs-Rabons had temporarily provided telecommunications services. The entire issue is moot and there is no case in controversy.

For the reasons set forth above, Jacobs-Rabons respectfully requests the Commission dismiss the above-referenced Docket 2010-351-C.

Dated this 8<sup>th</sup> day of June, 2011.

Respectfully submitted,

**DOUGALL & COLLINS**

s/Adelaide D. Kline

Adelaide D. Kline

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